United Nations S/2001/1056

Security Council

Distr.: General
8 November 2001

Original: English

Letter dated 7 November 2001 from the Secretary-General addressed to the President of the Security Council

This is to inform you that Mr. Amod Gurung (Nepal), whom I appointed on 18 September 2001 as an expert to serve on the Monitoring Group established pursuant to resolution 1363 (2001) of 30 July 2001, is unable to assume his functions. Accordingly, in consultation with the Security Council Committee established pursuant to resolution 1267 (1999) concerning Afghanistan, and taking into account the requirements stated in the above-mentioned resolution, I wish to inform you that I have appointed Mr. Surendra Bahadur Shah (Nepal) to serve on the Monitoring Group in New York.

Consequently, the Monitoring Group is composed of Mr. Michael Chandler (United Kingdom) — Chairman, Mr. Philippe Graver (France), Mr. Michael D. Langan (United States of America), Mr. Hassan H. Ali Abaza (Jordan) and Mr. Surendra Bahadur Shah (Nepal).

(*Signed*) Kofi A. **Annan**

01-62685 (E) 081101

United Nations S/2001/1057

Security Council

Distr.: General
8 November 2001
English
Original: Arabic

Letter dated 6 November 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 4 November 2001 from Mr. Naji Sabri, Minister for Foreign Affairs of Iraq. Appended to the Minister's letter is a table showing the 58 violations of Iraq's airspace and international boundaries that were committed by United States and British warplanes flying from bases in Kuwait across the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM) in the period from 13 to 26 October 2001. The Minister points out that the United States and the United Kingdom are continuing to enforce the illegal no-flight zones in northern and southern Iraq, and that this constitutes aggression and is in flagrant violation of the Charter of the United Nations.

Accordingly, the Minister urges you to instruct UNIKOM to perform its duties in full, to report these violations to the Security Council through you as soon as they occur and to specify the number and nationality of the warplanes that violate the demilitarized zone, given that such violations constitute wanton aggression against the sovereignty, territory and people of Iraq, as well as against United Nations peacekeeping operations. He further asks you to alert the Security Council to its responsibility to halt this aggression and ensure that its perpetrators, namely the United States, the United Kingdom, Kuwait and Saudi Arabia, are held accountable for it under international law and liable for the payment of compensation to Iraq.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Aldouri**
Ambassador
Permanent Representative

01-62777 (E) 091101 091101

Annex to the letter dated 6 November 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

Further to our letter dated 23 October 2001 (S/2001/1026, annex), I should like to inform you that in the period from 13 to 26 October 2001 the United States and the United Kingdom continued to send their warplanes to violate Iraq's airspace. They thus violated our international boundaries 58 times, flying from bases in Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone monitored by the United Nations Iraq-Kuwait Observation Mission (UNIKOM). As shown in the table appended to this letter, the relevant Iraqi agencies have determined that the violations committed were as follows:

1. Armed aerial activity by the United States and the United Kingdom, violating our international boundaries from the United States and British bases in Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone, comprised 58 armed sorties in the following governorates: Dhi Qar, Muthanna, Basrah, Maysan and Qadisiyah.

2. Our technical systems identified the aircraft violating Iraq's airspace on a daily basis as American F-14s, F-15s and F-16s and British Tornadoes.

3. An AWACS aircraft operating inside Saudi airspace and an E-2C aircraft operating inside Kuwaiti airspace provided support to all of the hostile United States and British aircraft that carried out armed and hostile sorties, violating Iraq's airspace by way of the demilitarized zone.

4. Between 13 and 26 October 2001, a total of five remotely piloted aircraft violated Iraq's airspace from United States and British bases in Kuwait, from Kuwait's airspace and territorial waters and by way of the demilitarized zone.

All of the violations in question were committed by way of the demilitarized zone in which UNIKOM is stationed. One of UNIKOM's primary responsibilities is to monitor such hostile military operations and to report them and endeavour to halt them immediately.

The enforcement by the United States and the United Kingdom of the no-flight zones in northern and southern Iraq is an internationally unlawful act and a flagrant violation of the Charter of the United Nations and the established norms of international law. It constitutes an illegal use of armed force against Iraq's sovereignty, independence and territorial integrity, and it is to be regarded as an ongoing act of aggression such as accords with the Definition of Aggression approved by the United Nations General Assembly in its resolution 3314 (XXIX) of 14 December 1974. Most of the world's countries have condemned the maintenance of the no-flight zones as representing an illegitimate use of force against an independent State. The United Nations, as represented by the Secretary-General, has affirmed that the claim that the Security Council resolutions concerning Iraq authorize the imposition of the no-flight zones is groundless.

The violations being committed by the United States and the United Kingdom involving 10 to 20 military aircraft on a daily basis constitute an unlawful war. They represent an act of aggression such as requires the United Nations to take the measures required in its regard under the Charter in order to halt it forthwith and

ensure that those who have committed it bear full international responsibility for it, including liability for the payment of compensation to Iraq.

The statements of the United Nations Secretariat to the effect that UNIKOM is unable to monitor or identify these aircraft are untenable in the light of the scientific and technological capabilities that are available or that UNIKOM is in a position to acquire and utilize in order to meet the requirements of its mandate in full and establish the identity and nationality of the warplanes that are violating Iraq's sovereign airspace, so that the necessary measures can then be taken by the Security Council to halt these violations and acts of aggression. In another respect, even if UNIKOM did not have the systems needed to identify the type and nationality of these aircraft, the fact that they come from the direction of Kuwait confirms that they are those of the United States and the United Kingdom, because these two countries do not deny that they are engaging in aggression against Iraq on a daily basis from Kuwait. Your report on UNIKOM for the period from 28 March to 4 September 2001 (S/2001/913) indicates as much, and paragraph 6 states that "[it should be noted] that the mission's inability to identify the States responsible for conducting such flights is in no way to be understood as condoning them". You also state in the report that the United States and the United Kingdom have acknowledged that they are continuing to enforce a no-flight zone in southern Iraq.

I accordingly urge you once more to instruct UNIKOM to perform its duties in full and to provide it with all the facilities that will enable it to report these violations to the Security Council through you as soon as they occur and to specify the number and nationality of the warplanes that violate the demilitarized zone and commit aggression against Iraq, given that this constitutes wanton aggression against Iraq and against its people, its sovereignty and its territory, as well as against United Nations peacekeeping operations. I also ask you to alert the Security Council to its responsibility to halt this aggression and ensure that its perpetrators, namely the United States, the United Kingdom, Kuwait and Saudi Arabia, are held accountable for it under international law.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs

Enclosure

Hostile aerial activity violating Iraq's international boundaries from Kuwait and by way of the demilitarized zone, 13-26 October 2001

No.	*Date*	*From*	*Time*	*Type*	*Armed sorties*	*Altitude (metres)*	*Speed (km/h)*	*Areas overflown*
1	13-19 October	Kuwait	1230-1600	F-14, F-15, F-16, drone	29 (including 5 drones)	8,000-10,500	240-780	Basrah, Qurnah, Nasiriyah, Artawi, Jalibah, Salman, Samawah, Busayyah
	20-26 October	Kuwait	1055-1640	F-14, F-15, F-16	29	6,000-9,000	720-780	Basrah, Jalibah, Artawi, Busayyah, Jabayish

Total sorties: 58

Note: The total number of armed aerial violations committed from Kuwaiti territory in the period from 17 December 1998 to 26 October 2001 was 10,581.

United Nations S/2001/1058

Security Council

Distr.: General
9 November 2001
English
Original: French

Draft resolution

The Security Council,

Recalling its previous resolutions and statements by its President,

Reaffirming the obligation of all States to refrain from the use of force against the territorial integrity and political independence of any State, or in any other manner inconsistent with the purposes of the United Nations, and *reaffirming also* the political independence, the territorial integrity and the sovereignty of the Democratic Republic of the Congo, including over its natural resources,

Taking note of the Secretary-General's report of 16 October 2001 (S/2001/970) and its recommendations,

Welcoming the participation of the Political Committee for the implementation of the Lusaka Ceasefire Agreement (S/1999/818) in joint meetings held on 9 November 2001,

Determining that the situation in the Democratic Republic of the Congo continues to pose a threat to international peace and security in the region,

1. *Welcomes* the general respect for the ceasefire among the parties to the Lusaka Ceasefire Agreement, *expresses* nonetheless its concern at the hostilities in areas of the eastern Democratic Republic of the Congo and *calls on* the parties to cease any form of support to the armed groups, particularly in the east of the country;

2. *Welcomes* the withdrawal of some foreign forces from the Democratic Republic of the Congo, including the full Namibian contingent, as a positive step towards the full withdrawal of all foreign forces, and *requests* all States that have not yet done so to begin to implement, without delay, their full withdrawal in accordance with resolution 1304 (2000) of 16 June 2000;

3. *Demands once again* that Kisangani be demilitarized rapidly and unconditionally in accordance with Security Council resolution 1304 (2000), *takes note* of the pledge by the RCD-Goma during the 4411th meeting of 9 November 2001 fully to demilitarize the city, *welcomes* the decision of the Secretary-General to further deploy MONUC personnel in this city, notably to contribute to the training of police, *stresses* that, once demilitarized, no party will be permitted to reoccupy the city militarily and *welcomes* in this regard the pledge by the Government of the DRC, during the same meeting, to respect this provision;

01-63121 (E) 091101

4. *Expresses* its support for the inter-Congolese dialogue, one of the key elements of the peace process, and for all efforts to promote this process, *calls on* the Congolese parties to work together for the success of the dialogue, and *expresses* its support for the Facilitator and his call on the parties to make the dialogue fully inclusive;

5. *Expresses* its grave concern at the repeated human rights violations throughout the Democratic Republic of the Congo in particular in the territories under the control of the rebel groups party to the Lusaka Ceasefire Agreement, and *calls* on all parties to put an end to such violations;

6. *Expresses* its serious concern with regard to the humanitarian situation in the DRC and calls on the international community to increase, without delay, its support for humanitarian activities;

7. *Expresses* its serious concern with regard to the economic difficulties facing the Democratic Republic of the Congo, *stresses* that progress in the peace process and the economic recovery and development of the country are interdependent, and in this regard underlines the urgent need for increased international economic assistance in support of the peace process;

8. *Reiterates* its condemnation of all illegal exploitation of the natural resources of the Democratic Republic of the Congo, *demands* that such exploitation cease and *stresses* that the natural resources of the Democratic Republic of the Congo should not be exploited to finance the conflict in that country;

9. *Emphasizes* that there are links between the peace processes in Burundi and in the Democratic Republic of the Congo and, welcoming the recent progress in the Burundi process, *invites* the parties to the Lusaka Ceasefire Agreement to work with the Burundian authorities to advance these two processes;

10. *Supports* the launching of phase III of the deployment of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC) on the basis of the concept of operations detailed in paragraphs 59 to 87 of the Secretary-General's report (S/2001/970) and *stresses*, in this regard, the importance it attaches to the deployment of MONUC in the east of the Democratic Republic of the Congo, in conformity with the new concept of operation and within the overall ceiling, including in the cities of Kindu and Kisangani;

11. *Notes* with concern the joint communiqué issued on 4 November 2001 by the Secretaries General of the Mouvement de Libération du Congo and of the Rassemblement Congolais pour la Démocratie concerning the deployment of a joint special force in Kindu, and *stresses* that appropriate conditions will be necessary to allow MONUC to fulfil its role in Kindu and to ensure that discussions on the voluntary disarmament and demobilization of concerned armed groups take place in a neutral environment;

12. *Affirms* that the implementation of phase III of the deployment of MONUC requires the following steps from the parties and requests the Secretary-General to report on progress thereon:

(i) The transmission to MONUC, as soon as possible and in accordance with its resolution 1355 (2001) of 15 June 2001, of the necessary operational information for the planning of MONUC support for the process of total withdrawal of foreign troops present in the territory of the Democratic

Republic of the Congo, including the number of foreign military personnel in the territory of the DRC, their equipment and armament, their exit routes, and a precise timetable for implementation;

(ii) The transmission to MONUC, as soon as possible and in accordance with its resolution 1355 (2001), of the necessary operational information for the planning of MONUC's mandated role in the process of disarmament, demobilization, repatriation, resettlement and reintegration (DDRRR) programme for the armed groups referred to in annex A, chapter 9.1 of the Lusaka Ceasefire Agreement, including the number of persons concerned, their equipment and armament, their location, their intentions, as well as a precise timetable for implementation;

(iii) The establishment of a direct dialogue between the governments of the Democratic Republic of the Congo and Rwanda leading to confidence building and a joint mechanism for coordination, and exchanges of information regarding the DDRRR process;

(iv) The establishment by the governments of the countries concerned, in particular Rwanda, and noting steps taken so far, of conditions conducive to voluntary DDRRR of the members of the armed groups concerned, in particular, by assuring the protection of the personal safety of the members of these armed groups, their civil rights and their economic reintegration including with the assistance of the donor community;

(v) The demilitarization of Kisangani;

(vi) The full restoration of freedom of movement for persons and goods between Kinshasa and Kisangani and throughout the country;

(vii) The full cooperation by the parties with MONUC military and logistical operations, as well as its humanitarian, human rights, and child protection activities, including by permitting unrestricted access to ports and airports, and by refraining from introducing administrative and other impediments;

13. *Expresses* its satisfaction at the partnership established with the parties to the Lusaka Ceasefire Agreement, strengthened by regular contacts between the Political Committee for the implementation of that Agreement and the Council, and *reiterates* its firm determination to continue to provide assistance to the parties in their efforts to achieve peace;

14. *Commends* the outstanding work of MONUC personnel in challenging conditions, and *pays tribute* in particular to the efforts of the Special Representative of the Secretary-General;

15. *Decides* to remain actively seized of the matter.

United Nations A/56/612–S/2001/1059

General Assembly
Security Council

Distr.: General
9 November 2001

Original: English

General Assembly
Fifty-sixth session
Agenda item 62
Question of Cyprus

Security Council
Fifty-sixth year

Letter dated 5 November 2001 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the Secretary-General

Under a letter dated 5 October 2001 (A/56/451-S/2001/953), Mr. Umit Pamir, the Permanent Representative of Turkey, sent you a letter covering a "Further Opinion" by Professor Maurice Mendelson QC. That Opinion, and Mr. Pamir's letter, alleged that Cyprus's application to join the European Union was illegal, and that the United Kingdom was obliged by the terms of the 1960 Treaty of Guarantee to veto Cyprus's accession to the European Union.

The United Kingdom disagrees with both of these assertions. In our view, there is no legal obstacle to Cypriot membership of the European Union. Membership does not constitute "union with another State", and is therefore not ruled out by the provisions of the 1960 Treaty of Guarantee. The United Kingdom does not consider the provisions of the Treaty to be ambiguous in any way. The fact that there is no legal barrier to Cyprus's membership is clear from the actions and statements of other European Union member States, the Commission and the United Nations Security Council.

The United Kingdom fully supports your own efforts to bring about a settlement on the island. As the Helsinki European Council made clear, a settlement before accession would facilitate Cyprus's accession. But a settlement is not a precondition for Cyprus's accession. We urge all parties to engage constructively in reaching a settlement, and recall the press statement by the President of the Security Council of 26 September 2001, which called on all concerned to support the efforts in that regard.

I would be grateful if you would circulate the present letter as a document of the General Assembly, under agenda item 62, and of the Security Council.

(*Signed*) Jeremy **Greenstock**

01-63049 (E) 121101

United Nations S/2001/1060

Security Council

Distr.: General
12 November 2001

Original: English

Draft resolution

The Security Council,

Decides to adopt the attached declaration on the global effort to combat terrorism.

01-63292 (E) 121101

Annex

The Security Council,

Meeting at the Ministerial level,

Recalling its resolutions 1269 (1999) of 19 October 1999, 1368 (2001) of 12 September 2001 and 1373 (2001) of 28 September 2001,

Declares that acts of international terrorism constitute one of the most serious threats to international peace and security in the twenty-first century,

Further declares that acts of international terrorism constitute a challenge to all States and to all of humanity,

Reaffirms its unequivocal condemnation of all acts, methods and practices of terrorism as criminal and unjustifiable, regardless of their motivation, in all their forms and manifestations, wherever and by whomever committed,

Stresses that acts of international terrorism are contrary to the purposes and principles of the Charter of the United Nations, and that the financing, planning and preparation of as well as any other form of support for acts of international terrorism are similarly contrary to the purposes and principles of the Charter of the United Nations,

Underlines that acts of terrorism endanger innocent lives and the dignity and security of human beings everywhere, threaten the social and economic development of all States and undermine global stability and prosperity,

Affirms that a sustained, comprehensive approach involving the active participation and collaboration of all Member States of the United Nations, and in accordance with the Charter of the United Nations and international law, is essential to combat the scourge of international terrorism,

Stresses that continuing international efforts to broaden the understanding among civilizations and to address regional conflicts and the full range of global issues, including development issues, will contribute to international cooperation and collaboration, which themselves are necessary to sustain the broadest possible fight against international terrorism,

Welcomes the commitment expressed by States to fight the scourge of international terrorism, including during the General Assembly plenary debate from 1 to 5 October 2001, *calls on* all States to become parties as soon as possible to the relevant international conventions and protocols relating to terrorism, and encourages Member States to take forward work in this area,

Calls on all States to take urgent steps to implement fully resolution 1373 (2001), and to assist each other in doing so, and *underlines* the obligation on States to deny financial and all other forms of support and safe haven to terrorists and those supporting terrorism,

Expresses its determination to proceed with the implementation of that resolution in full cooperation with the whole membership of the United Nations, and *welcomes* the progress made so far by the Counter-Terrorism Committee established by paragraph 6 of resolution 1373 (2001) to monitor implementation of that resolution,

Recognizes that many States will require assistance in implementing all the requirements of resolution 1373 (2001), and *invites* States to inform the Counter-Terrorism Committee of areas in which they require such support,

In that context, invites the Counter-Terrorism Committee to explore ways in which States can be assisted, and in particular to explore with international, regional and subregional organizations:

- the promotion of best-practice in the areas covered by resolution 1373 (2001), including the preparation of model laws as appropriate,
- the availability of existing technical, financial, regulatory, legislative or other assistance programmes which might facilitate the implementation of resolution 1373 (2001),
- the promotion of possible synergies between these assistance programmes,

Calls on all States to intensify their efforts to eliminate the scourge of international terrorism.

United Nations S/2001/1061

Security Council

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12 November 2001

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Letter dated 12 November 2001 from the Permanent Representative of Zambia to the United Nations addressed to the President of the Security Council

Upon instruction from the Minister for Foreign Affairs of the Republic of Zambia, in his capacity as Chairman of the Central Organ of the Organization of African Unity (OAU) Mechanism for Conflict Prevention, Management and Resolution, I have the honour to forward herewith the text of a communiqué issued on 11 November 2001 by the Central Organ at its fifth extraordinary session, at Ministerial level, held in New York (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mwelwa C. **Musambachime**
Ambassador
Permanent Representative

01-63334 (E) 121101

Annex to the letter dated 12 November 2001 from the Permanent Representative of Zambia to the United Nations addressed to the President of the Security Council

Communiqué issued by the Central Organ of the Organization of African Unity Mechanism for Conflict Prevention, Management and Resolution at its fifth extraordinary session at Ministerial level on 11 November 2001 in New York

At the request of the Republic of the Sudan, the Central Organ of the Organization of African Unity (OAU) Mechanism for Conflict Prevention, Management and Resolution held its fifth extraordinary session at ministerial level on 11 November 2001, in New York, on the margins of the fifty-sixth session of the General Assembly. The session was convened to deliberate on the problem of terrorism and to consider ways by which Africa can further contribute to the efforts by the international community to combat this scourge, in the light of the 11 September 2001 terrorist attacks against the United States of America.

The session was chaired by Mr. Keli Walubita, Minister for Foreign Affairs of the Republic of Zambia.

At the end of its deliberations, the Central Organ decided as follows:

The Central Organ:

1. *Reiterates* the unequivocal condemnation by the OAU of the 11 September 2001 terrorist attacks against the United States of America and its solidarity and that of the African people with the Government and people of the United States of America. It further reiterates its condemnation and total rejection of terrorism, which is a negation of the teachings of the revealed religions and human values;

2. *Reaffirms* resolution AHG/Res.213(XXVIII) on the strengthening of cooperation and coordination among African States adopted at the 28th ordinary session of the Assembly of Heads of State and Government, held in Dakar, Senegal, from 29 June to 1 July 1992, declaration AHG/Decl.2(XXX) on the Code of Conduct for Inter-African Relations, adopted by the 30th ordinary session of the Assembly of Heads of State and Government, held in Tunis, Tunisia, from 13 to 15 June 1994, and decision AHG/Dec.132(XXXV) on the OAU Convention on the Prevention and Combating of Terrorism adopted by the 35th ordinary session of the Assembly of Heads of State and Government, held in Algiers, Algeria, from 12 to 14 July 2001;

3. *Stresses* that terrorism, as a universal phenomenon that is not associated with any particular religion, culture or race, constitutes a serious violation of human rights, in particular, the rights to physical integrity, life, freedom and security; and that it poses a threat to the stability and security of States and impedes their socio-economic development;

4. *Also stresses* that terrorism cannot be justified under any circumstance and, consequently, that it should be combated in all its forms and manifestations, including those in which States are involved directly or indirectly, without regard to its origin, causes and objectives;

5. *Further stresses* the relevance of the OAU Convention on the Prevention and Combating of Terrorism, which constitutes an adequate framework for collective African reaction against terrorism, as part of the efforts by the international community. In this respect, the Central Organ *urges* OAU Member States that have not yet done so to sign and ratify the Convention so as to ensure its early entry into force;

6. *Welcomes* the adoption of resolution 1373 (2001) by the United Nations Security Council on 28 September 2001, as well as its previous resolutions related to terrorism, and *requests* Member States to ensure their effective follow-up and implementation;

7. *Urges* Member States that have not yet done so to sign and ratify, without any further delay, International conventions and protocols relating to terrorism, including the International Convention for the Suppression of the Financing of Terrorism of 9 December 1999, and *calls upon* all States parties to these instruments to fully and effectively implement their provisions;

8. *Welcomes* the Declaration against Terrorism adopted by the African Summit held in Dakar on 17 October 2001, including the proposal to prepare a draft additional protocol to the OAU Convention on Terrorism in conformity with the provisions of article 21 of the said Convention;

9. *Reiterates* the need for the international community to work in a more coordinated and determined manner to combat terrorism, under the aegis of the United Nations, and to adopt a global strategy to address the scourge of terrorism in a comprehensive manner. In this regard, the Central Organ further reiterates decision AHG/Dec.132(XXXV) adopted by the 35th ordinary session of the Assembly of Heads of State and Government, which, inter alia, called for the convening of an international conference at summit level under the auspices of the United Nations to elaborate an international strategy to combat terrorism.

United Nations S/2001/1062

Security Council

Distr.: General
12 November 2001

Original: English

Letter dated 9 November 2001 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

On the occasion of the Security Council ministerial debate on counter-terrorism, to be held on 12 November, I have the honour to transmit herewith the text of a statement by the Government of Japan outlining its positions on counter-terrorism (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Yukio **Satoh**
Permanent Representative

01-63340 (E) 121101

Annex to the letter dated 9 November 2001 from the Permanent Representative of Japan to the United Nations addressed to the Secretary-General

Statement of the Government of Japan on the occasion of the debate on counter-terrorism in the Security Council on 12 November 2001

In response to the terrorist attacks on the United States on 11 September, international efforts to combat terrorism are being strengthened in various fora, including the Security Council and the General Assembly. Japan intends to cooperate to the fullest extent with those efforts, in addition to taking its own initiatives in the fight against terrorism.

The position of Japan on the fight against terrorism has been detailed in its statements during the General Assembly debate under agenda item 166, "Measures to eliminate international terrorism", and on other occasions. We believe that the early ratification and faithful implementation of all 12 international anti-terrorism conventions and the prompt adoption of the two draft anti-terrorism conventions are important immediate goals. Japan, for its part, is already party to 10 of the anti-terrorism conventions. It intends to ratify the International Convention for the Suppression of Terrorist Bombings, subject to the approval of the Diet, in the near future and, having signed the International Convention for the Suppression of the Financing of Terrorism, on 30 October, is currently undertaking domestic procedures for its early ratification.

Moreover, the Japanese Diet passed the Anti-Terrorism Special Measures Bill on 29 October, which will allow the Self-Defence Forces to extend cooperation and carry out support and search and rescue activities, provide assistance to affected people and take other necessary measures in support of the activities of the armed forces of the United States and other countries which aim to eradicate the threat of terrorist attacks, thereby contributing to the achievement of the purposes of the Charter of the United Nations.

Security Council resolution 1373 (2001) of 28 September 2001 is of great significance in upgrading the capability of the international community to combat terrorism. Its early and steady implementation is therefore extremely important. In this connection, Japan highly appreciates the work to date of the Counter-Terrorism Committee established pursuant to resolution 1373 (2001) and would like to express its sincere appreciation to the Bureau of the Committee, especially to its Chairman, Ambassador Greenstock.

Japan is vigorously undertaking domestic procedures to facilitate the smooth and prompt implementation of resolution 1373 (2001). In accordance with the basic thrust and objective of that resolution, we would like to stress the importance for Member States of coordinating their measures as far as possible to ensure the effective implementation of the counter-terrorism measures, including the freezing of assets. Japan intends to maintain a close link with the Counter-Terrorism Committee and would like to contribute to its discussions by producing constructive ideas and opinions. In addition, if a need for various forms of assistance arises during the course of the implementation of resolution 1373 (2001) by Member States, Japan is prepared to consider providing such assistance in response to specific needs.

United Nations S/2001/1063

Security Council

Distr.: General
14 November 2001

Original: English

Letter dated 6 November 2001 from the Permanent Representative of Somalia to the United Nations addressed to the President of the Security Council

I have the honour to transmit to you a copy of the communiqué following the Somalia Reconciliation Meeting held in Nairobi from 1 to 4 November 2001.

I would appreciate it if this communiqué could be circulated as a document of the Security Council.

(*Signed*) Ahmed Abdi **Hashi**
Ambassador

01-63894 (E) 151101

Annex to the letter dated 6 November 2001 from the Permanent Representative of Somalia to the United Nations addressed to the President of the Security Council

Communiqué following the Somalia Reconciliation Meeting held in Nairobi from 1 to 4 November 2001

1. At the invitation of H.E. President Daniel T. arap Moi of the Republic of Kenya, the political leaders of the Republic of Somalia attended the Reconciliation Meeting on Somalia held in Nairobi from 1 to 4 November 2001. The Somali delegations comprised the Transitional National Government and the Somali Reconciliation and Restoration Council.

2. In his opening statement, President Moi emphasized the urgent need to deliberate on the future of Somalia. He lamented the anguish, suffering and loss of lives caused by the 10-year civil war and the destruction of the economy and infrastructure of Somalia. He recalled that various peace initiatives on Somalia had failed due to clan wars, mutual mistrust and lack of an acceptable broad-based Government. He observed that, under the circumstances, Somalia could become a haven for international crime and drug syndicates, religious extremists and terrorists, a situation which could invite an international response. He pointed out that a strong, united Government in Somalia would help check illicit trade and arms proliferation, influx of refugees and human trafficking. He reiterated the need to include parties that did not participate at the Arta conference in the national reconciliation process in order to deepen it. He pointed out that ultimately it was the responsibility of the people of Somalia to resolve their problems, which required a spirit of give and take as well as compromise.

3. The two parties held constructive deliberations on the way forward in the process of national reconciliation for Somalia. They acknowledged the importance of having a broad-based, all-inclusive reconciliation process that ensured the unity, sovereignty and territorial integrity of Somalia.

4. They adopted the following agenda as the basis for future deliberations:

(i) Implementation of the resolution of the 8th Intergovernmental Authority on Development (IGAD) Summit of Heads of State and Government on Somalia and other relevant Organization of African Unity and United Nations Security Council resolutions on the situation in Somalia.

(ii) The two parties have agreed that all state laws be reviewed in accordance with the requirement of the reconciliation process in Somalia.

(iii) Power sharing based on all Somali clans.

(iv) National disarmament.

(v) Renunciation of violence as a means of settling political differences and cooperation with the international community in the eradication of all forms of terrorism.

(vi) Commitment to international principles of peaceful coexistence, good-neighbourly relations and respect for the sovereignty and territorial integrity of the countries in the region.

(vii) Dispute over land, public and private property.

(viii) Any other business.

5. The parties agreed to adjourn the meeting to enable them to hold further consultations prior to a follow-up meeting to be held at a time to be mutually agreed to by the Heads of State of the front-line States — Kenya, Djibouti and Ethiopia. The role of the Sudan, current Chairman of IGAD, as well as that of other States and agencies in the Somalia Reconciliation Process, was acknowledged.

6. They expressed their gratitude and appreciation to H.E. Daniel T. arap Moi, the Government and the people of Kenya for hosting the Reconciliation Meeting and for the hospitality extended to them.

Done at Nairobi this 4th day of November 2001.

(*Signed*) Mowlid **Maán**

(*Signed*) Aden Mohamed **Ali**

(*Signed*) Bile Rafle **Guled**

(*Signed*) Abdulkadir M. **Abdulle**

(*Signed*) Osman Hassan **Ali**

(*Signed*) Ali Bashi **Hagi**

United Nations S/2001/1064

Security Council

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12 November 2001

Original: English

Letter dated 2 November 2001 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to Security Council resolution 1284 (1999), which requires me to consult the Security Council and the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) on the appointment of suitably qualified experts as UNMOVIC Commissioners.

Mr. Cong Guang resigned on 26 October 2001. I would like to propose the appointment of Li Junhua (China), the Director of Political Division of the International Department at the Ministry of Foreign Affairs as Commissioner of UNMOVIC.

I should be grateful if you would bring this matter to the attention of the Security Council.

(*Signed*) Kofi A. **Annan**

01-63383 (E) 121101

United Nations S/2001/1065

Security Council

Distr.: General
12 November 2001

Original: English

Letter dated 12 November 2001 from the President of the Security Council addressed to the Security Council

I have the honour to inform you that your letter dated 2 November 2001 (S/2001/1064) concerning your proposal to appoint Li Junhua (China) as a Commissioner of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) has been brought to the attention of the members of the Security Council. They take note of the proposal contained in your letter.

(*Signed*) Patricia **Durrant**
President of the Security Council

01-63389 (E) 121101

United Nations S/2001/1065*

Security Council

Distr.: General
16 November 2001

Original: English

Letter dated 12 November 2001 from the President of the Security Council addressed to the Secretary-General

I have the honour to inform you that your letter dated 2 November 2001 (S/2001/1064) concerning your proposal to appoint Li Junhua (China) as a Commissioner of the United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) has been brought to the attention of the members of the Security Council. They take note of the proposal contained in your letter.

(*Signed*) Patricia **Durrant**
President of the Security Council

* Reissued for technical reasons.

01-63389* (E) 161101

United Nations A/56/613–S/2001/1066

General Assembly
Security Council

Distr.: General
12 November 2001
English
Original: Chinese/English/French/
Russian

General Assembly
Fifty-sixth session
Agenda items 42, 43 and 166

The situation in the Middle East

The situation in Afghanistan and its implications for international peace and security

Measures to eliminate international terrorism

Security Council
Fifty-sixth year

Letter dated 12 November 2001 from the Permanent Representatives of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America to the United Nations addressed to the Secretary-General

We have the honour to transmit herewith the text of the statement issued after the meeting of our Ministers for Foreign Affairs on 12 November 2001 (see annex).

We should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under items 42, 43 and 166, and of the Security Council.

(*Signed*) **Wang** Yingfan
Permanent Representative of China
to the United Nations

(*Signed*) Jean-David **Levitte**
Permanent Representative of France
to the United Nations

(*Signed*) Sergey V. **Lavrov**
Permanent Representative of the
Russian Federation
to the United Nations

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(*Signed*) Jeremy **Greenstock**
Permanent Representative of the
United Kingdom of Great Britain and
Northern Ireland to the United Nations

(*Signed*) John D. **Negroponte**
Permanent Representative of the
United States of America
to the United Nations

Annex to the letter dated 12 November 2001 from the Permanent Representatives of China, France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America addressed to the Secretary-General

Statement issued on 12 November 2001 after the meeting between the Ministers for Foreign Affairs of the five permanent members of the Security Council and the Secretary-General

On 12 November 2001, the Ministers for Foreign Affairs of the five permanent members of the Security Council, Tang Jiaxuan, Minister for Foreign Affairs of the People's Republic of China, Hubert Védrine, Minister for Foreign Affairs of France, Igor Ivanov, Minister for Foreign Affairs of the Russian Federation, Jack Straw, Secretary of State for Foreign and Commonwealth Affairs of the United Kingdom of Great Britain and Northern Ireland and Colin Powell, Secretary of State of the United States of America, met with the Secretary-General of the United Nations, Mr. Kofi Annan.

The Ministers were delighted that the Secretary-General and the United Nations had been honoured with this year's Nobel Peace Prize and expressed their warmest congratulations to the Secretary-General. They looked forward to his second term and promised to assist him in addressing the challenges that lay ahead. The award of the Nobel Peace Prize underlines the vital role which the United Nations plays in today's world and the need to enhance further the efficiency and effectiveness of the Organization, including in the area of peacekeeping.

In that regard, the Ministers attached great significance to the effective implementation of the Millennium Declaration and recognized that much remained to be done. They drew attention to the continuing importance of maintaining Africa's peace, stability and development and agreed that adequate resources and energies from the international community would continue to be required to that end.

The Ministers met in the aftermath of the tragic events of 11 September. They reaffirmed that acts of international terrorism constitute a very serious threat to international peace and security in the twenty-first century. In that context they reviewed and commended the response of the General Assembly and the Security Council, which had adopted resolutions 1368 (2001) and 1373 (2001) in a swift, unanimous and substantive way, to those events. They reiterated the call on all States to take urgent steps to implement fully resolution 1373 (2001) and to assist each other in doing so. They underlined the obligation on all States to deny financial and all other forms of support and safe haven to terrorists and those supporting terrorism. They noted with satisfaction the current progress in implementing Security Council resolution 1373 (2001), including through the establishment of the Counter-Terrorism Committee of the Security Council, which has already offered guidance to States for the submission of reports on its implementation. They agreed to continue to play a full part in the work of the Counter-Terrorism Committee and were ready to make joint efforts with other Member States of the United Nations to strengthen the global consensus against terrorism in accordance with the Charter of the United Nations and international law. They stressed the need to strengthen the international legal regime for combating terrorism and strongly advocated, in this

regard, the speedy adoption by the General Assembly of the outstanding conventions.

The Ministers discussed Afghanistan and condemned the Taliban's continued support for international terrorist organizations and terrorist threats emanating from Afghanistan. They agreed that the United Nations must continue to play its central role in international efforts towards a resolution of the Afghan conflict and should continue to take the lead in assisting Afghans in the formation of a broad-based, multiethnic government that is fully representative of the Afghan people to replace the Taliban regime. This government would respect human rights and regional stability. It should also meet Afghanistan's international obligations, including cooperation with international efforts to combat terrorism and the suppression of trade in narcotics. The Ministers agreed to support international efforts to rebuild Afghanistan and promised to devote the necessary resources to complete this important task. They expressed their full support for the efforts of the Secretary-General and of his special envoy Lakhdar Brahimi.

The Ministers expressed their deep concern at recent tragic events in the Middle East. They strongly encouraged Israelis and Palestinians to take the necessary security, economic and political steps to move from confrontation to the resumption of a political process. The Ministers reiterated their condemnation of acts of terror and violence and their conviction that the only solution to the Israeli-Palestinian problem is through dialogue and negotiations. They called on Israel to withdraw from all areas into which it has made incursions and to ensure greater restraint by the Israeli defence forces. They also called on the Palestinian Authority to take all possible steps to put an end to violence. In this regard, they urged the parties to implement the Tenet plan and the recommendations of the Mitchell report, which the parties have accepted, as quickly as possible. The Ministers called on the parties to create an environment in which negotiations based on Security Council resolutions 242 (1967) and 338 (1973) and the Madrid principles could resume.

Finally, the Ministers noted with satisfaction that the intensified cooperation between the five permanent members of the Security Council, which they had agreed to initiate at their meeting on 13 September 2000, in accordance with the Declaration of their Heads of State and Government of 7 September 2000, had borne fruit on a range of issues in New York and elsewhere. They continued to believe that such cooperation was in the interests of the Security Council and the international community as a whole.

United Nations S/2001/1067

Security Council

Distr.: General
13 November 2001

Original: English

Letter dated 12 November 2001 from the Secretary-General addressed to the President of the Security Council

I have the honour to refer to the question of Western Sahara, in particular to the activities of my Personal Envoy, James A. Baker III, pursuant to Security Council resolution 1359 (2001) of 29 June 2001.

In my report to the Security Council of 20 June 2001 (S/2001/613), I recommended that the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) be extended until 30 November 2001 and informed the Council that, should my Personal Envoy decide to continue with the discussions about the draft Framework Agreement after that date in order to try and negotiate such changes in the draft Framework Agreement that would make it acceptable to Morocco, the Frente POLISARIO, Algeria and Mauritania, it would be my intention to recommend to the Council that the mandate of MINURSO extended to permit time for such negotiations. I also informed the Council that if, on the other hand, by the end of that period, my Personal Envoy should conclude that it would not be worthwhile to continue with the consultations, the Council could decide to review the mandate of MINURSO and consider what further role it could play under the circumstances.

As will be recalled, having considered the recommendations contained in my report of 20 June 2001, in its resolution 1359 (2001), the Council encouraged the parties to discuss the draft Framework Agreement under the auspices of the Personal Envoy and to negotiate any specific changes they would like to see in that proposal, as well as to discuss any other proposal for a political solution, which may be put forward by the parties, to arrive at a mutually acceptable agreement. The Council also affirmed that, while the discussions referred to above were in progress, the official proposals submitted by the Frente POLISARIO to overcome the obstacles preventing the implementation of the Settlement Plan would be considered. In addition, the Council requested me to provide an assessment of the situation before the end of the present mandate and, as appropriate, recommendations on the future mandate and composition of MINURSO.

Since the adoption of Security Council resolution 1359 (2001) on 29 June 2001, my Personal Envoy has been consulting with the parties within the framework of that resolution. He has, however, recently informed me that he would need additional time for these consultations. Accordingly, I propose that the Council authorize a technical extension of the mandate of MINURSO for a period of two

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months, through 31 January 2002. It would be my intention to submit my report on Western Sahara to the Council in good time before that date.

I should be grateful if you would bring this matter to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

United Nations S/2001/1068

Security Council

Distr.: General
13 November 2001
English
Original: Arabic

Identical letters dated 9 November 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 7 November 2001 from Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq. The Minister calls attention to the ongoing wanton aggression against Iraq by United States and British aircraft in the unlawful no-flight zones and to the fact that in the period from 23 to 31 October 2001 they carried out 89 hostile sorties, 26 of them from Saudi Arabia, 23 from Kuwait and 40 from Turkey.

The Minister reaffirms the Government of Iraq's condemnation of these acts of aggression against Iraqi territory, and he states that international responsibility for them must be borne by the United States of America, the United Kingdom and the countries that provide the logistic support for this aggression, namely Saudi Arabia, Kuwait and Turkey. He further states that Iraq reserves its right, as established by the Charter of the United Nations and international law, to defend itself against this ongoing hostile, terrorist activity. He urges you to perform the duties assigned to you under the Charter by ensuring that this persistent aggression is halted and does not recur and that its perpetrators and the regional parties that associate themselves with it are made to bear full legal responsibility for it.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Aldouri**
Ambassador
Permanent Representative

01-63763 (E) 151101 151101

Annex to the identical letters dated 9 November 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

I should like to inform you that United States of America and the United Kingdom have continued their aerial aggression against the Republic of Iraq and that the Kingdom of Saudi Arabia, the State of Kuwait and the Republic of Turkey have also continued to provide logistic facilities for this aggression. United States and British warplanes based in Saudi Arabia, Kuwait and Turkey have thus continued to violate the airspace of the Republic of Iraq. They flew 89 armed sorties in the period from 23 to 31 October 2001, 26 of them from Saudi Arabia, 23 from Kuwait and 40 from Turkey, as shown in the statement enclosed herewith.

The enforcement by the United States and the United Kingdom of the no-flight zones in northern and southern Iraq is an internationally unlawful act and a flagrant violation of the Charter of the United Nations and the established norms of international law. It constitutes an illegal use of armed force against the sovereignty, independence and territorial integrity of Iraq, and it is to be regarded as an ongoing act of aggression such as accords with the Definition of Aggression approved by the United Nations General Assembly in its resolution 3314 (XXIX) of 14 December 1974.

Most of the world's countries have condemned the maintenance of the no-flight zones as representing an illegitimate use of force against an independent State. The United Nations, as represented by the Secretary-General, has also affirmed that the claim that the Security Council resolutions concerning Iraq authorize the imposition of the no-flight zones is groundless.

The attacks being launched by United States and British aircraft on Iraqi towns and villages and on structures that are basic to life in the country, including health-care and educational establishments and houses of worship, constitute blatant State terrorism that has now been practised for more than 10 years and has caused the deaths of thousands of Iraqi citizens, has left tens of thousands injured and has brought about the destruction of vital amenities and infrastructure. That the United Nations, the Security Council and you yourself should remain mere spectators in the presence of this aggression and this blatant State terrorism against Iraq raises serious questions about the credibility of the United Nations and about its capacity to apply the norms of the Charter to all without distinction and without the use of double standards.

The Government of Iraq considers that the governments of the United States and the United Kingdom and the countries that associate themselves with this terrorist aggression, namely Kuwait, Saudi Arabia and Turkey, should bear full responsibility for their illegal actions. It affirms Iraq's established right under the Charter of the United Nations and international law to exercise its legitimate right to defend itself against this ongoing hostile, terrorist activity. It further urges you to perform the duties assigned to you as they relate to the maintenance of international peace and security, to call upon the governments of the countries in question to halt their continuing aggression against Iraq forthwith and to ensure that those committing the aggression and the regional parties collaborating in that aggression, namely Kuwait, Saudi Arabia and Turkey, are made to bear full legal responsibility for it.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs

Enclosure

Violations of the airspace of the Republic of Iraq by United States and British warplanes, 23-31 October 2001

1. In the northern region 40 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres, as follows:

(a) At 1100 hours on 23 October 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from a base in Turkey and from Turkish airspace penetrated Iraq's airspace in the northern region. They carried out 16 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Zakho, Amadiyah, Dohuk, Aqrah and Irbil areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1200 hours, drove them off.

(b) At 1145 hours on 24 October 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from bases in Turkey and from Turkish airspace penetrated Iraq's airspace in the northern region. They carried out 12 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Amadiyah, Zakho, Dohuk, Aqrah and Baibo areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1220 hours, drove them off.

(c) At 1050 hours on 31 October 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from bases in Turkey and from Turkish airspace penetrated Iraq's airspace in the northern region. They carried out 12 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Zakho, Aqrah, Amadiyah, Dohuk, Irbil and Mosul areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1410 hours, drove them off.

2. In the southern region 49 armed sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres, as follows:

(a) At 1055 hours on 24 October 2001, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from bases in Saudi Arabia and Kuwait and from Kuwaiti and Saudi airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out 15 armed sorties, eight of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and seven from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Busayyah, Artawi, Salman, Jalibah, Ashbajah and Jabayish areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1250 hours, drove them off.

(b) At 1140 hours on 25 October 2001, United States and British F-14, F-15, Tornado and EA-6B aircraft coming from bases in Saudi Arabia and Kuwait and from Saudi and Kuwaiti airspace and territorial waters penetrated Iraq's airspace in the southern region. They carried out eight armed sorties from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Salman South and Busayyah areas. Our air defences, acting in exercise of the

e homeland, engaged the aircraft and, at 1245 hours, legitimate
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(c) rs on 28 October 2001, United States and British F-14, F-15, rcraft coming from bases in Saudi Arabia and Kuwait and Tornado i airspace and territorial waters penetrated Iraq's airspace in from Sa hey carried out 10 armed sorties, six of them from Saudi the sou ort of an AWACS command and control aircraft operating territory and four from Kuwaiti territory and by way of the inside veen Iraq and Kuwait with the support of an E-2C command demilitarating inside Kuwaiti airspace. They overflew the Busayyah, and con Salman areas. Our air defences, acting in exercise of the Jalibah, nd the homeland, engaged the aircraft and, at 1235 hours, legitima
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(d) rs on 31 October 2001, United States and British F-14, F-15, rcraft coming from bases in Saudi Arabia and Kuwait and Tornado i airspace and territorial waters penetrated Iraq's airspace in from K hey carried out 16 armed sorties, 12 of them from Saudi the sou ort of an AWACS command and control aircraft operating territory and four from Kuwaiti territory and by way of the inside veen Iraq and Kuwait with the support of an E-2C command demilit erating inside Kuwaiti airspace. They overflew the Basrah, and cor nawah, Salman, Jalibah, Busayyah and Rifa`i areas. Our air Qurnah rcise of the legitimate right to defend the homeland, engaged defence hours, drove them off.
the airc